

REMARKS

The non-final office action of October 10, 1006, has been carefully reviewed and these remarks are responsive thereto. Reconsideration and allowance of the instant application are respectfully requested. Claims 1-8, 15 and 22-38 remain in this application. Claims 9-14 and 16-21 have been cancelled. New claims 39-46 have been added. No new matter has been entered. Support for new claims 39 and 42 may be found at least from page 9, paragraph 39, through page 10, paragraph 40, of the application as originally filed. Support for new claims 40, 43, and 46 may be found at least on page 20, paragraph 63, of the application as originally filed. Support for new claims 41, 44, and 45 may be found at least on page 11, paragraph 42, of the application as originally filed.

Grounds of Rejection for Claims 3-8 and 23-37 and Untreated Claim 38

The examiner did not indicate on what grounds claims 3-8 and 23-37 had been rejected. For purposes of responding to the office action, Applicants respond as though claims 3-8 and 23-37 were rejected under 35 U.S.C. § 103(a) over Chuah in view of Ioannidis.

Also, the examiner did not indicate the status of claim 38 in the Disposition of Claims or indicate that claim 38 has been reviewed. For purposes of responding to the office action, Applicants respond as though claim 38 was rejected along with claims 1-9, 15, and 23-37 over Chuah in view of Ioannidis.

Rejections Under 35 U.S.C. § 103

Claims 1, 2, 15 and 22 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,993,021 to Chuah et al. in view of Ioannidis et al (Non-Patent Literature/SIGCOMM Computer Communication Review). Applicants respectfully traverse this rejection.

For purposes of this response, it is believed that the Examiner intended to reject all claims 1-8, 15, and 22-38 over this combination.

Claim 1 recites:

“...where said first base station retransmits said messages to a second base station using IP-in-IP encapsulation between said base stations...”

Chuah only describes message transfers between the base station BS 1 and the MSC 5. See, for instance, column 5, lines 20-22, of Chuah. Chuah fails to teach or suggest any transmission of a message from a first base station to a second base station. Rather, the MSC 5 handles all messages as being forwarded to the base stations BS or even a base station controller BSC between a BS and the MSC. While MSCs (usually BSCs) can perform soft handoff, it is the MSCs or BSCs that are transmitting the messages to the base stations. Claim 1, in contrast, has the message being retransmitted by the first base station, not the MSC or BSC.

Ioannidis similarly fails to teach or suggest at least this recitation of claim 1. Accordingly, the combination of Chuah and Ioannidis fails to teach or suggest this recitation of claim 1. As the combination fails to address all recitations as recited, claim 1 is allowable over the combination.

Independent claims 2, 3, 15, 22, 23, 29, and 30 are allowable for similar reasons.

Dependent claims 4-8 and 24-38 are allowable over the combination

New claims 39-46

New claims 39-46 are added.

Support for new claims 39 and 42 may be found at least from page 9, paragraph 39, through page 10, paragraph 40, of the application as originally filed. Support for new claims 40, 43, and 46 may be found at least on page 20, paragraph 63, of the application as originally filed. Support for new claims 41, 44, and 45 may be found at least on page 11, paragraph 42, of the application as originally filed

Extension of time fees are being submitted with this response. If any additional fees are required or if an overpayment is made, the Director is authorized to debit or credit our Deposit Account No. 19-0733, accordingly.

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Amendment dated April 3, 2007
Reply to Office Action of October 10, 2006

All rejections having been addressed, applicants respectfully submit that the instant application is in condition for allowance, and respectfully solicit prompt notification of the same.

Respectfully submitted,
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